




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

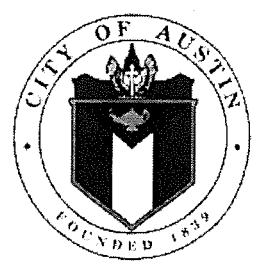
1" = 267'

### NOTIFICATIONS

CASE#: C15-2015-0132  
1211 TAYLOR STREET

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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CASE# C15-2015-0132  
ROW# 1139 9776  
TAX# 2202050207

*MMO 2/2*

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 1211 Taylor Street, Austin, Texas 78702

LEGAL DESCRIPTION: Subdivision – LOT 21 OLT 45 DIV 0 WENDLANDT & STAEHEL RESUB

Lot(s) 10 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Matt Fajkus Architecture, LLC on behalf of myself/ourselves as authorized agent for

Richard Kooris and Mike Speciale affirm that on July 9, 2015,

hereby apply for a hearing before the Board of Adjustment for consideration to:

**(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)**

X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN

Requesting variances from Chapter 25-2, Subchapter D, Article 4.1461 through 4.1463 and Chapter 25-2, Subchapter C, Articles 2.492 and 2.515. Seeking adjustments that would allow for the development of a Secondary Apartment in keeping with the goals of the East Cesar Chavez Neighborhood Plan. Seeking approval for non-compliance such that Secondary Apartment Special Use be allowed on a lot with an area less than 5750 sf due to a less than 1.5% deviance from this minimum. Seeking a reduction of the rear-yard setback and an increase in allowable GFA.

in a SF-3-NP district. (East Cesar Chavez)  
(zoning district)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**

**VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):**

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1/3

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The East Cesar Chavez Neighborhood Plan demonstrates a clear preference for residential development that includes a Secondary Apartment. This lot is designated SF-3-NP, which does allow for the Secondary Apartment Special Use, but having an area of just 5688 sf prevents it from meeting the 5750 sf minimum area necessary for this special use. The high concentration of heritage trees along Taylor St restricts development on the front of the lot, making the 25' rear yard setback for through-lots overly constraining in this instance. Being a smaller lot, the allowable GFA is also insufficient for achieving the desired secondary unit.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The lot at 1211 Taylor St has 6 protected and heritage trees that need to be preserved. Restrictions on building in these trees' critical root zones add up to nearly 420 sf of the lot, or 33% of the proposed first floor area, un-buildable on the Taylor St side.

- (b) The hardship is not general to the area in which the property is located because:

Other lots in the area do not contain the same number of heritage trees or are of older construction which allows infringement on critical root zones, therefore making the through-lot setbacks less restrictive. Through-lots on adjacent blocks also meet the 5750 sf minimum, qualifying them for Secondary Apartment Special Use. On the other side of Holly St, through-lots have total areas approaching 7500sf, allowing for the construction of two units and providing a GFA more than generous enough to accommodate both.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed new construction is in keeping with the intentions of the Neighborhood Plan and existing construction on adjacent lots. Of the ten possible through lots on this same block, six are subdivided into two lots with two structures - one on Taylor St and one on Holly St. The proposed construction of two dwellings on one through lot, is effectively the same as the existing massing and density on the block. The reduction in the rear setback is also consistent with existing conditions, as several of the previously referenced dwellings on Holly St do not maintain a 25' setback. Different from these essentially double lots, the proposed construction aligns more with neighborhood goals for affordability. Rather than splitting the lot for the construction of two single-family homes, the proposed project would allow for a substantial main house of approximately 2000 sf that supports a much more modest secondary unit of approximately 800sf. The increase in allowable GFA similarly supports this goal, but does not represent a significant difference from the GFA that can be potentially developed on the adjacent lots. The proposed construction will also use shed and gable roofs in keeping with the typical character of the neighborhood, including both adjacent lots to the east and west.

**PARKING:** (Additional criteria for parking variances only.)

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Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Richard Kooris Mail Address 501 N I-35

City, State & Zip Austin, TX 78702

Printed Richard Kooris Phone 512-485-3000 Date 07/09/2015

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Richard Kooris Mail Address 501 N I-35

City, State & Zip Austin, TX 78702

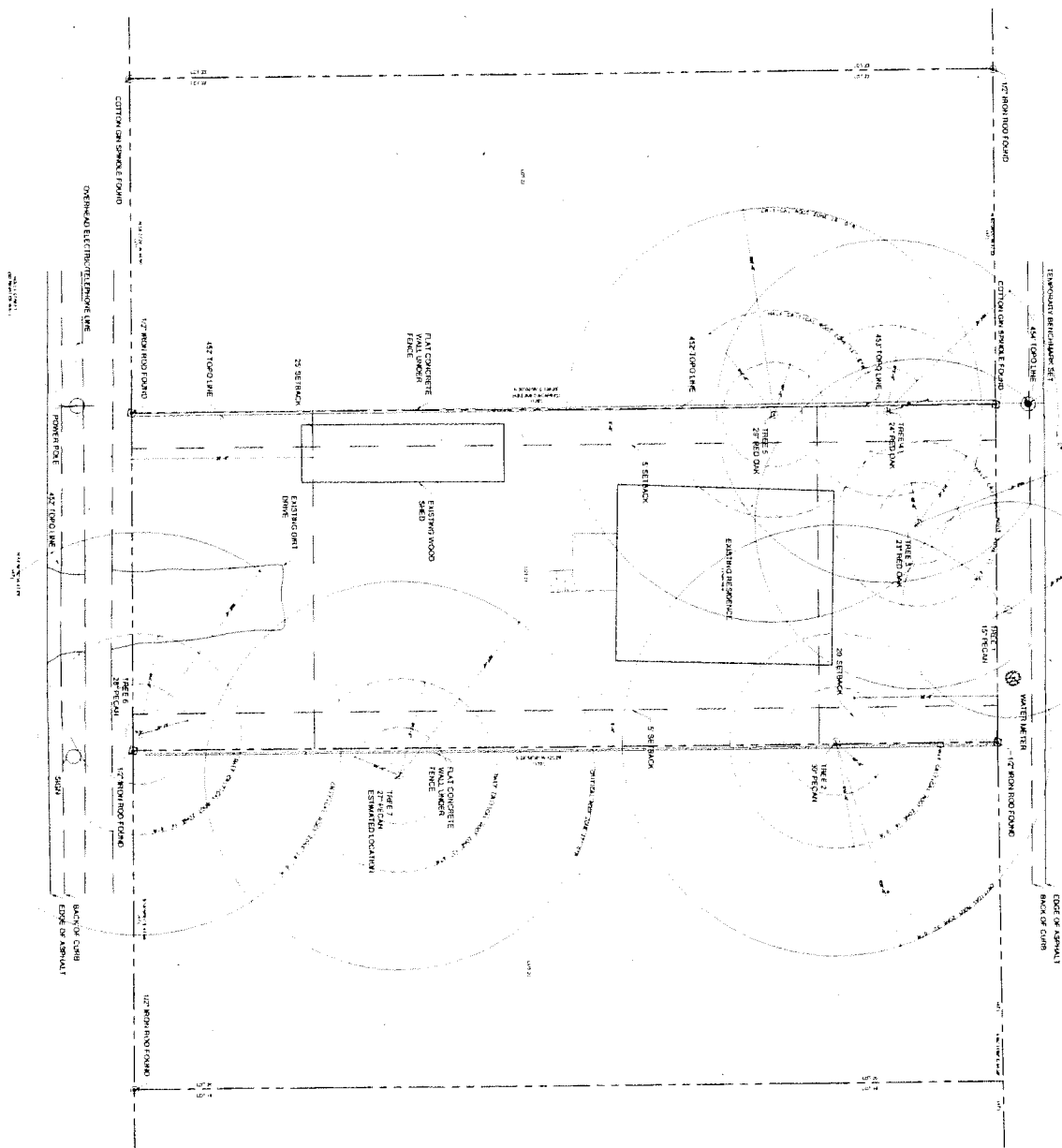
Printed Richard Kooris Phone 512-485-3000 Date 07/09/2015

Updated 1/15

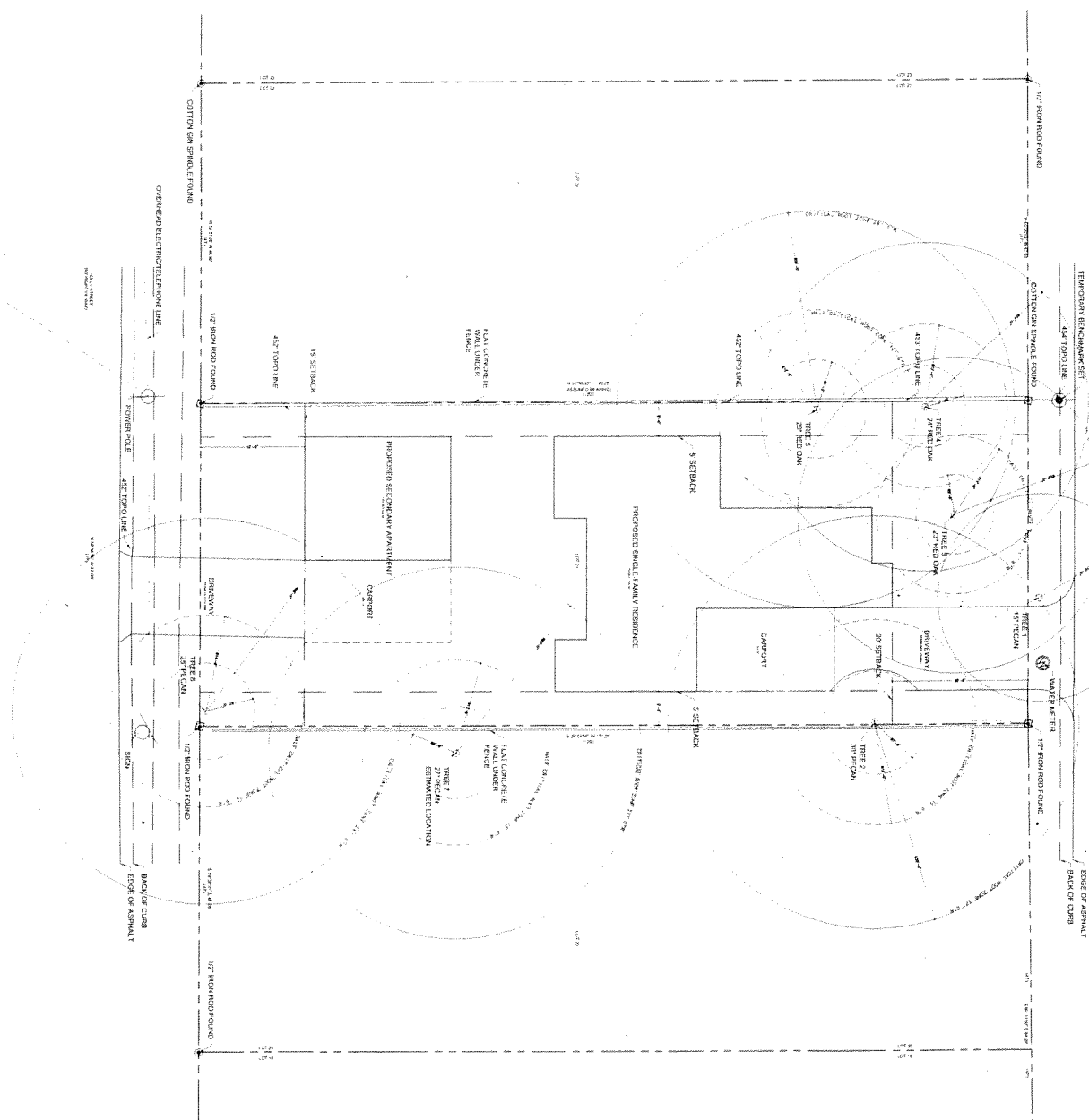
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## SURVEY OF EXISTING SITE

EXISTING SITE PLAN

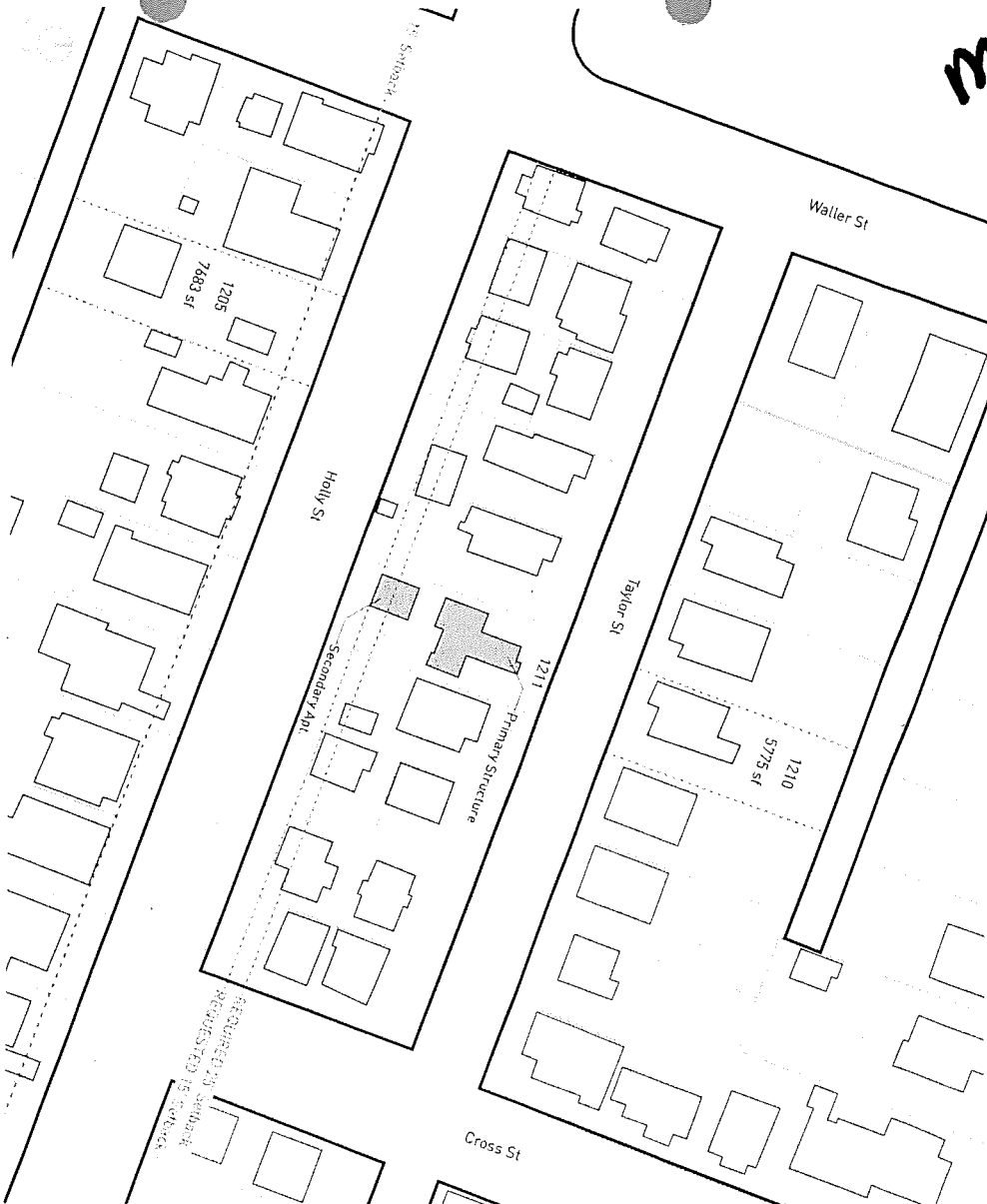


# PROPOSED SITE PLAN



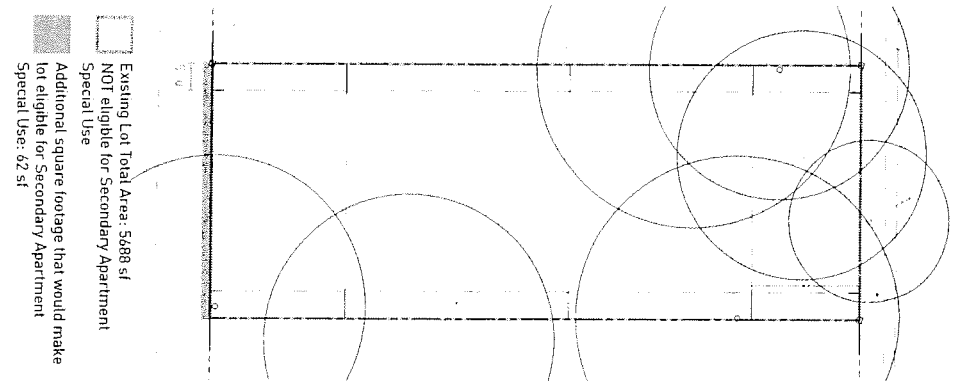


11/10/20



**THROUGH-LOT SETBACK**

A rear-yard setback of 15', rather than 25', would be in keeping with the setbacks on the adjacent lots and the lots on the opposite side of Holly St.



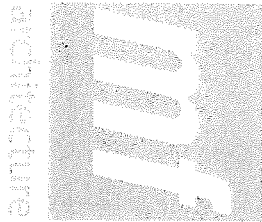
**SECONDARY APARTMENT SPECIAL USE**

Through lots on the other side of Taylor St have total areas of at least 5750 sf, qualifying them for the Secondary Apartment Special Use.

Through lots on the other side of Holly St have total areas of over 7600sf, qualifying them for the Special Use and having an allowable GFA of over 3000sf.

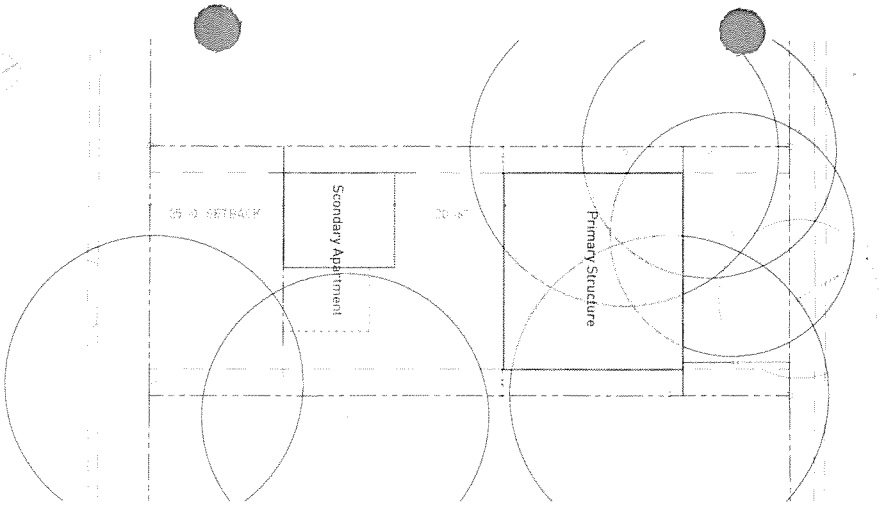
**SITE HARDSHIP**  
Setbacks + Special Use

Scale: 1" = 60'-0"



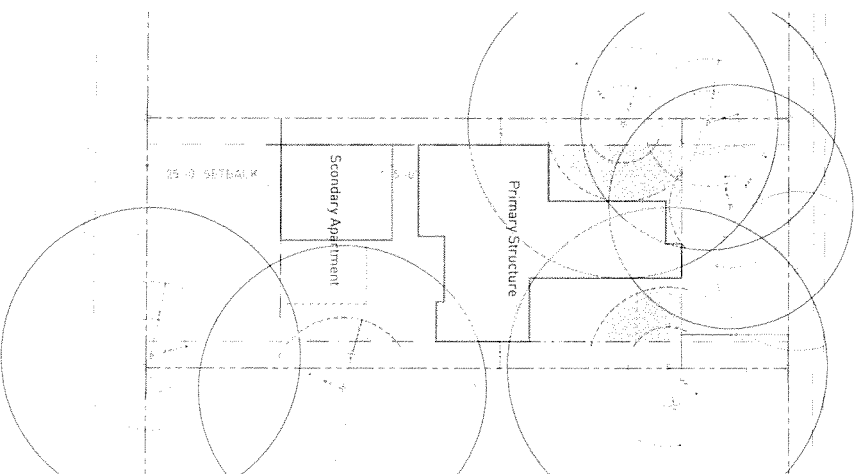


01/19/20



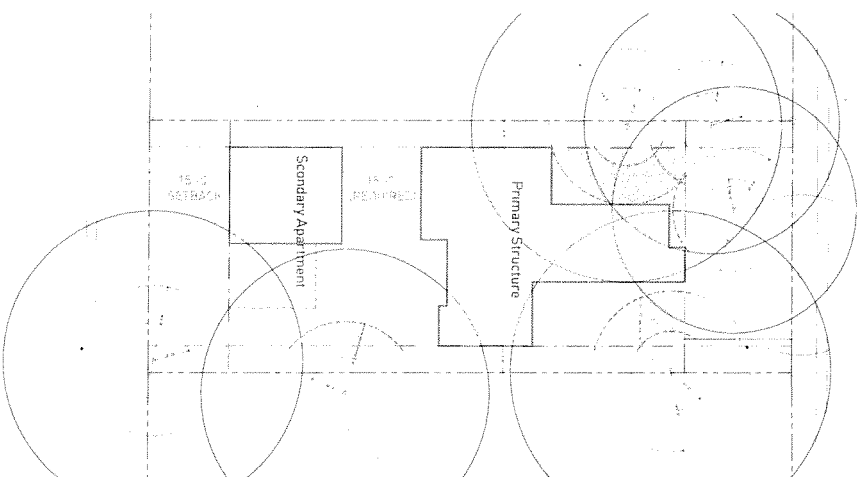
### NO CRITICAL ROOT ZONES

Without the presence of heritage trees, typical lot setbacks would not restrict the proposed construction



### CRITICAL ROOT ZONES + 25' SETBACK

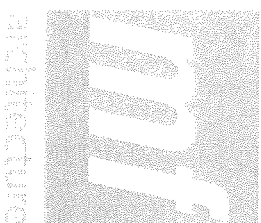
With critical root zones preventing construction at the front of the lot, the 25' setback locates the secondary apartment too close to the primary house



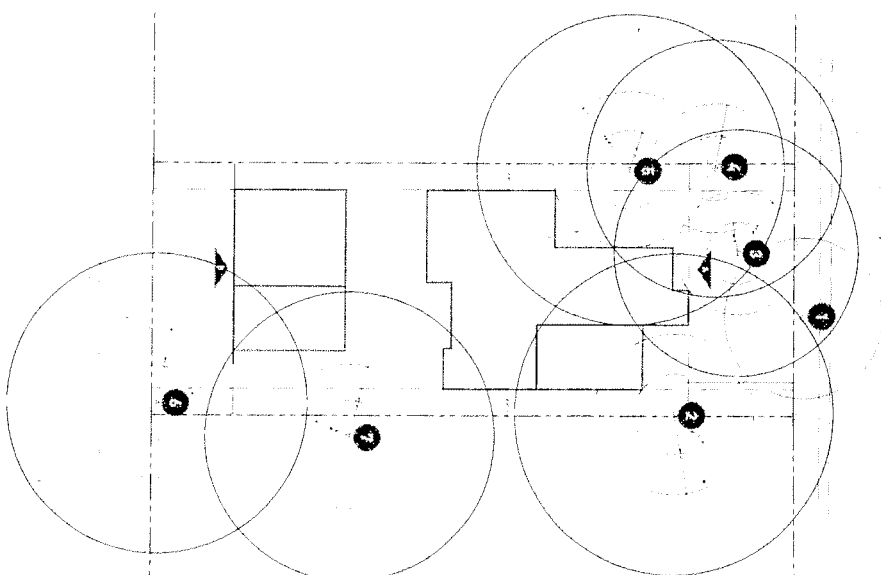
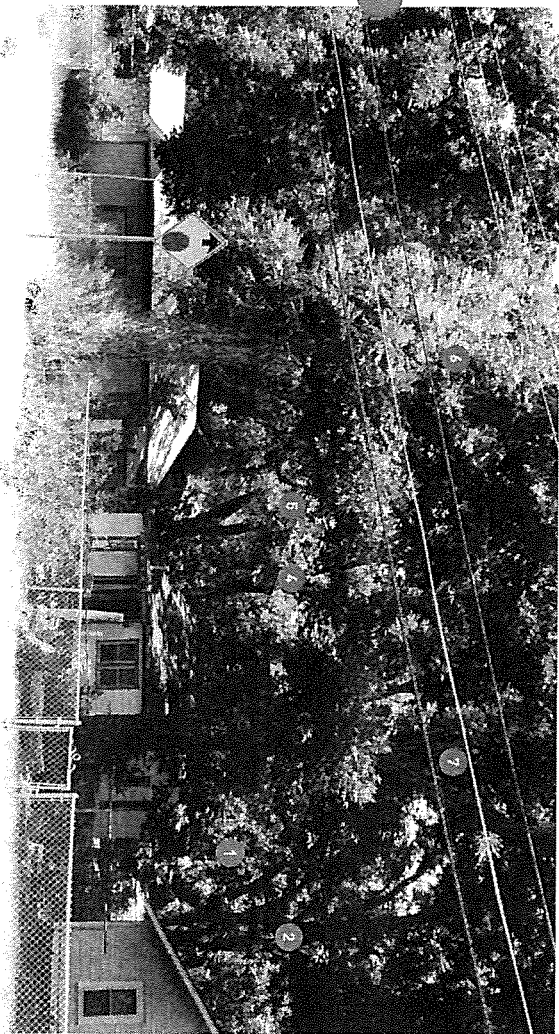
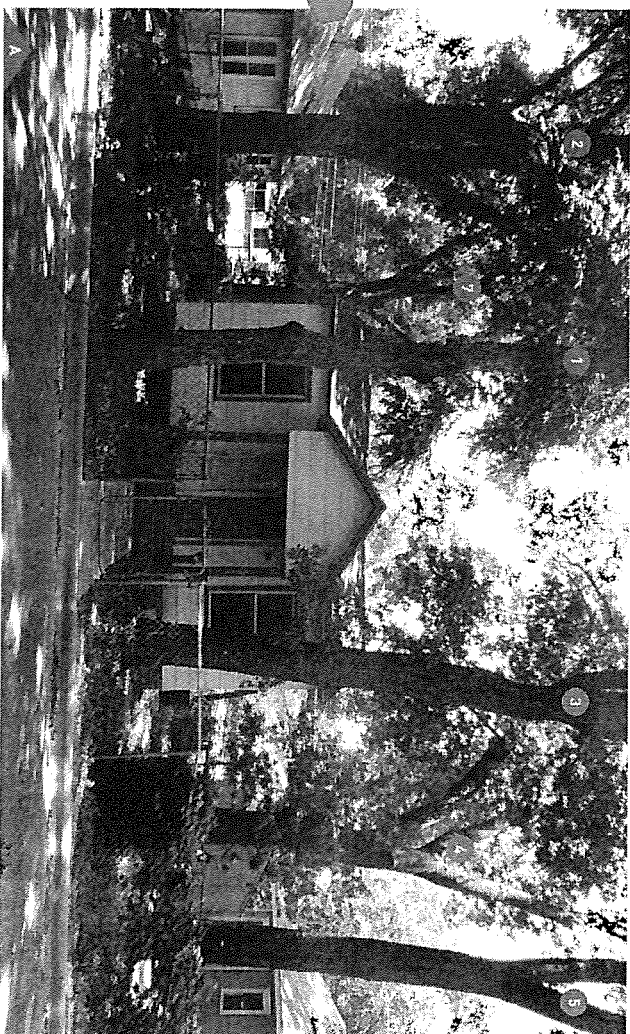
### CRITICAL ROOT ZONES + 15' SETBACK

With a depressed rear yard setback, the required 15' of separation between primary house and secondary apartment can be maintained

**SITE HARDSHIP**  
Critical Root Zones  
Scale: NTS



2/10/20



**SITE HARDSHIP**  
Critical Root Zones

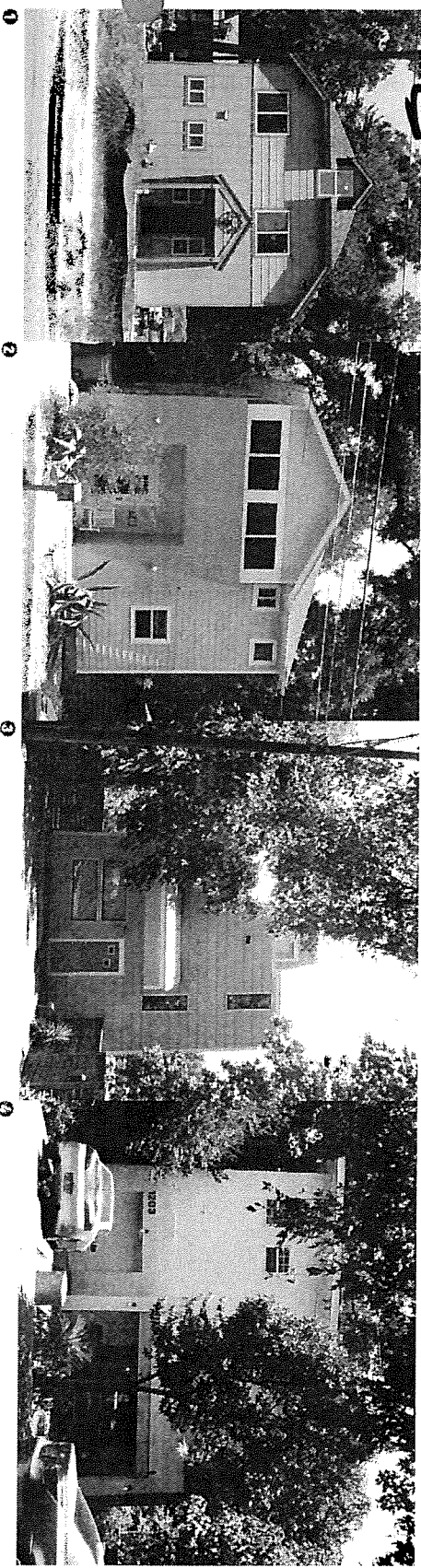
Scale: NTS

**mf**  
architecture

# CRITICAL ROOT ZONES

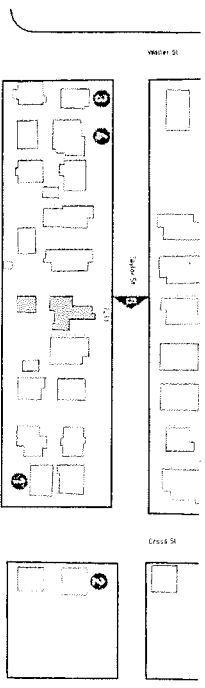
View of existing site from Taylor St showing several heritage trees located on the front of the lot.

2/1/2



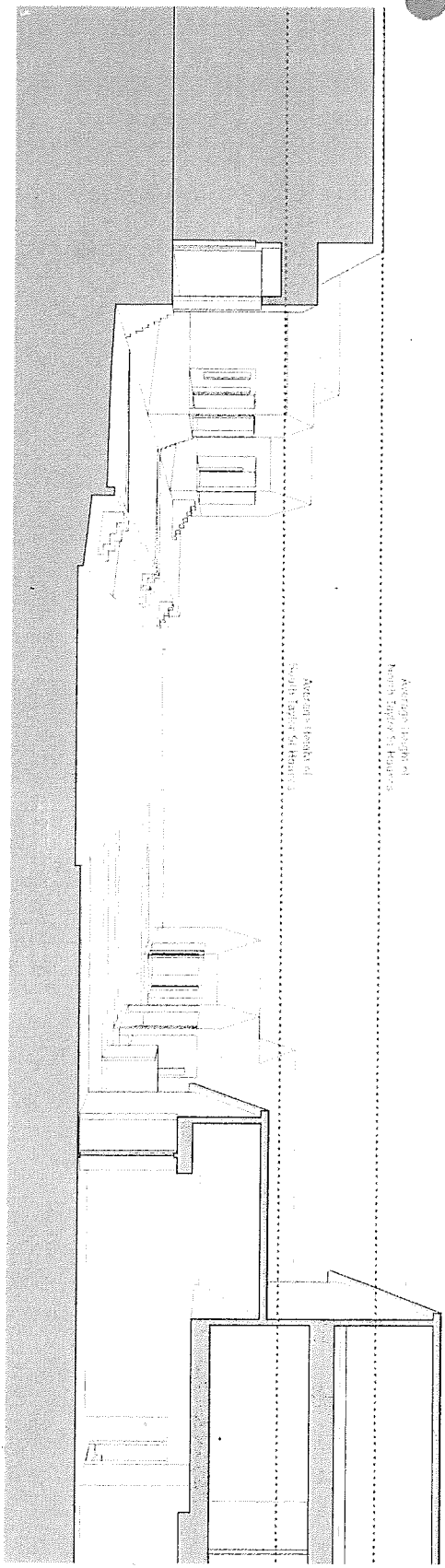
**AREA CHARACTER**  
Two-Story Houses

Scale: NTS

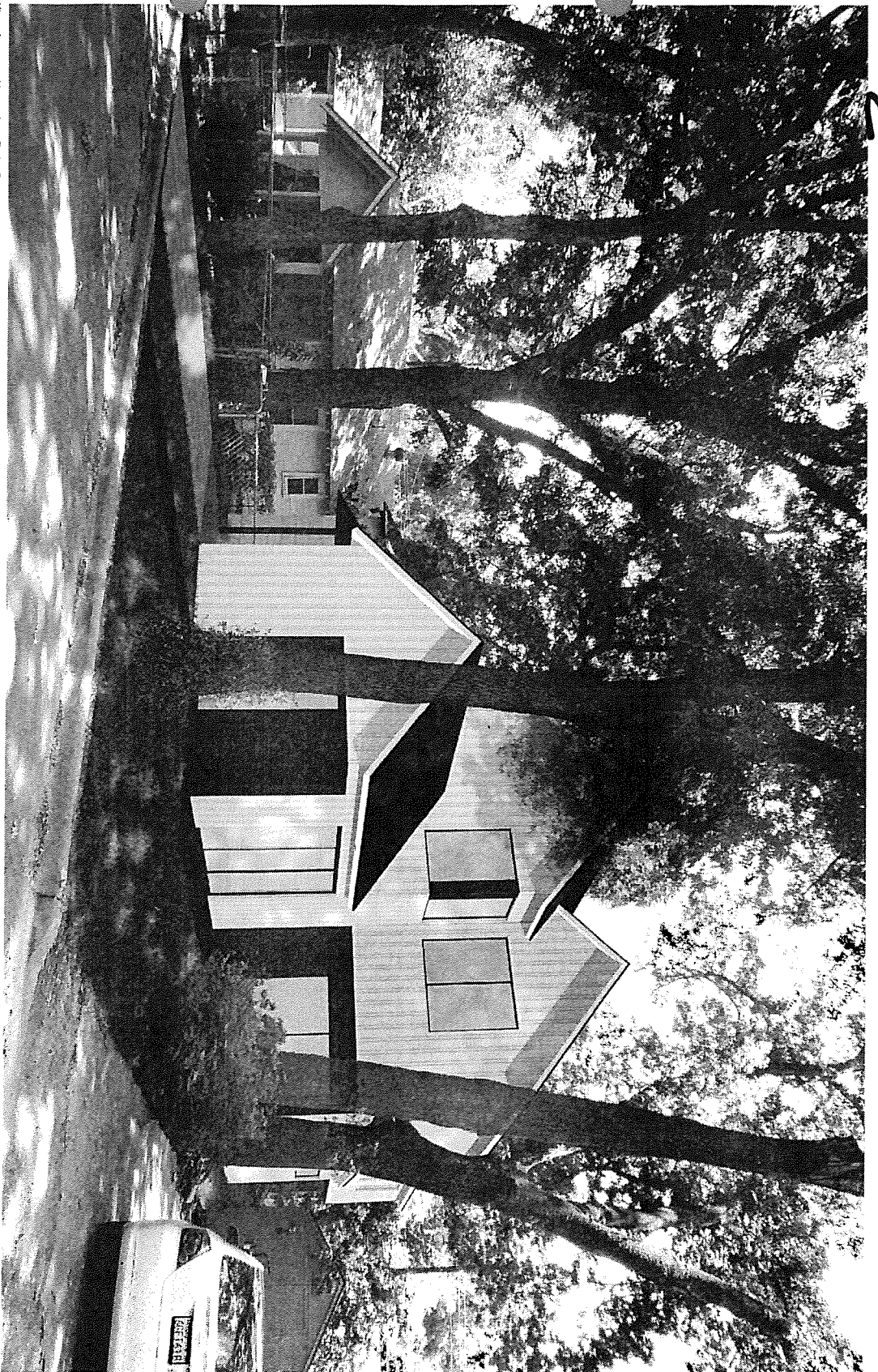


**MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD**

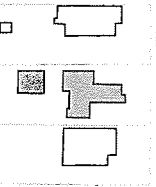
The sloped lot missing allows the proposed construction to relate to both its single-story neighbors and the houses across Taylor St, which are significantly taller due to raised topography. The use of gable roof forms, in addition to this massing strategy, makes the proposed houses similar to surrounding houses in proportion and scale, allowing it to match the character of the neighborhood more so than other nearby two-story residences.



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View of proposed house from Taylor St

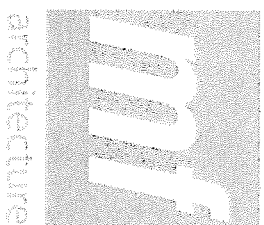


#### MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD

The proposed construction utilizes gable roof forms and layered volumes, much like the existing houses shown.

AREA CHARACTER

Scale: NTS





9/2/13



AREA CHARACTER  
Neighborhood Plan

Scale: NTS

### 3. Housing

**Neighborhood Vision:** The neighborhood needs more housing for its families, especially its elderly and young families. The neighborhood is willing to absorb some increase in density to accommodate these needs, as long as the neighborhood character is maintained. An array of housing options that are safe, accessible and affordable should be available. Providing more opportunities for existing residents to own their homes is a priority.

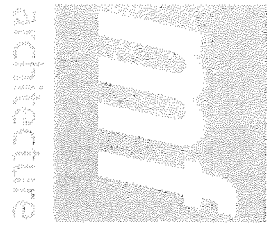
**Objective 3:** Provide additional opportunities to increase housing opportunities in the neighborhood.

#### Action 38.

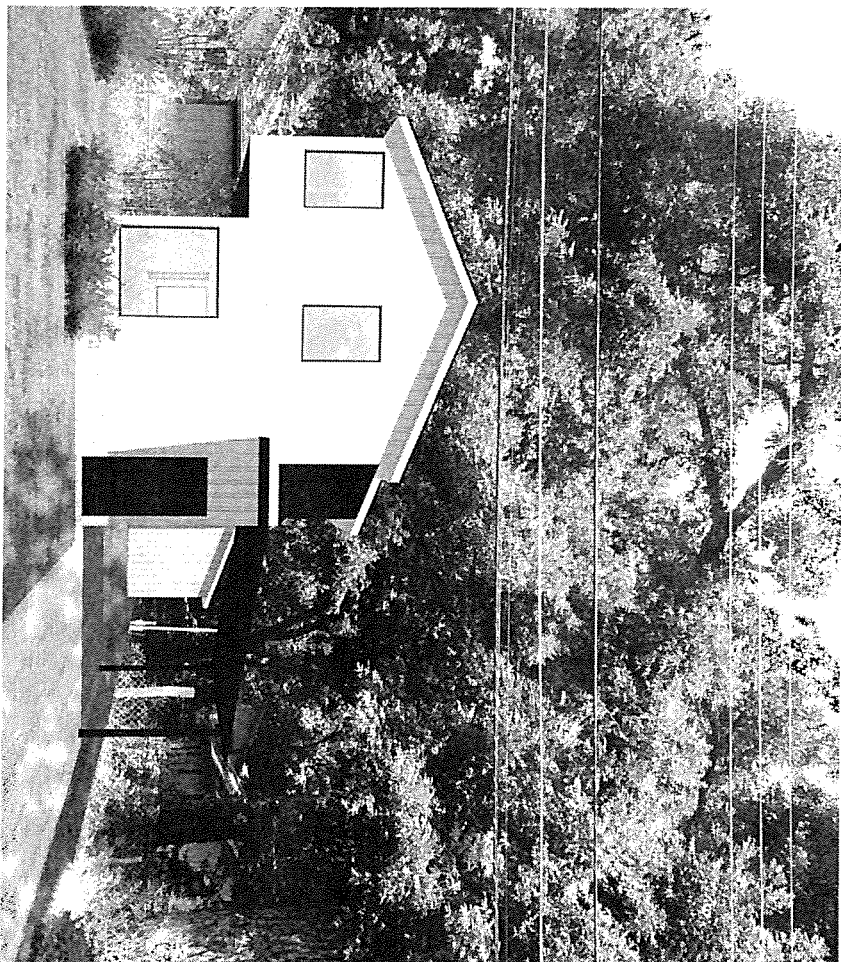
Create an ordinance that permits in all residential zoning districts within the planning area, a single accessory "granny flat" unit constructed on the same lot as the primary residential unit attached to the garage or to the existing residence for ground floor access. Primary implementers: PECSD, DRID

### EAST CESAR CHAVEZ NEIGHBORHOOD PLAN

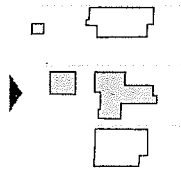
The East Cesar Chavez Neighborhood Plan expresses a desire for an increase in density of smaller, more affordable housing, including "granny flats." Site and zoning restrictions make compliance with this request difficult on the small, through-lot at 1211 Taylor St. The requested 700-sq increase in GFA would allow for the addition of a Secondary Apartment, as requested in the neighborhood plan.



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View of proposed secondary apartment from Holly St

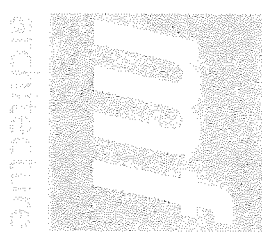


# MAINTAINING THE CHARACTER OF THE NEIGHBORHOOD

The proposed construction utilizes gable roof forms and layered volumes, much like the existing houses shown.

AREA CHARACTER

Scale: NTS





**LOT SIZE**  
5688.63 square feet

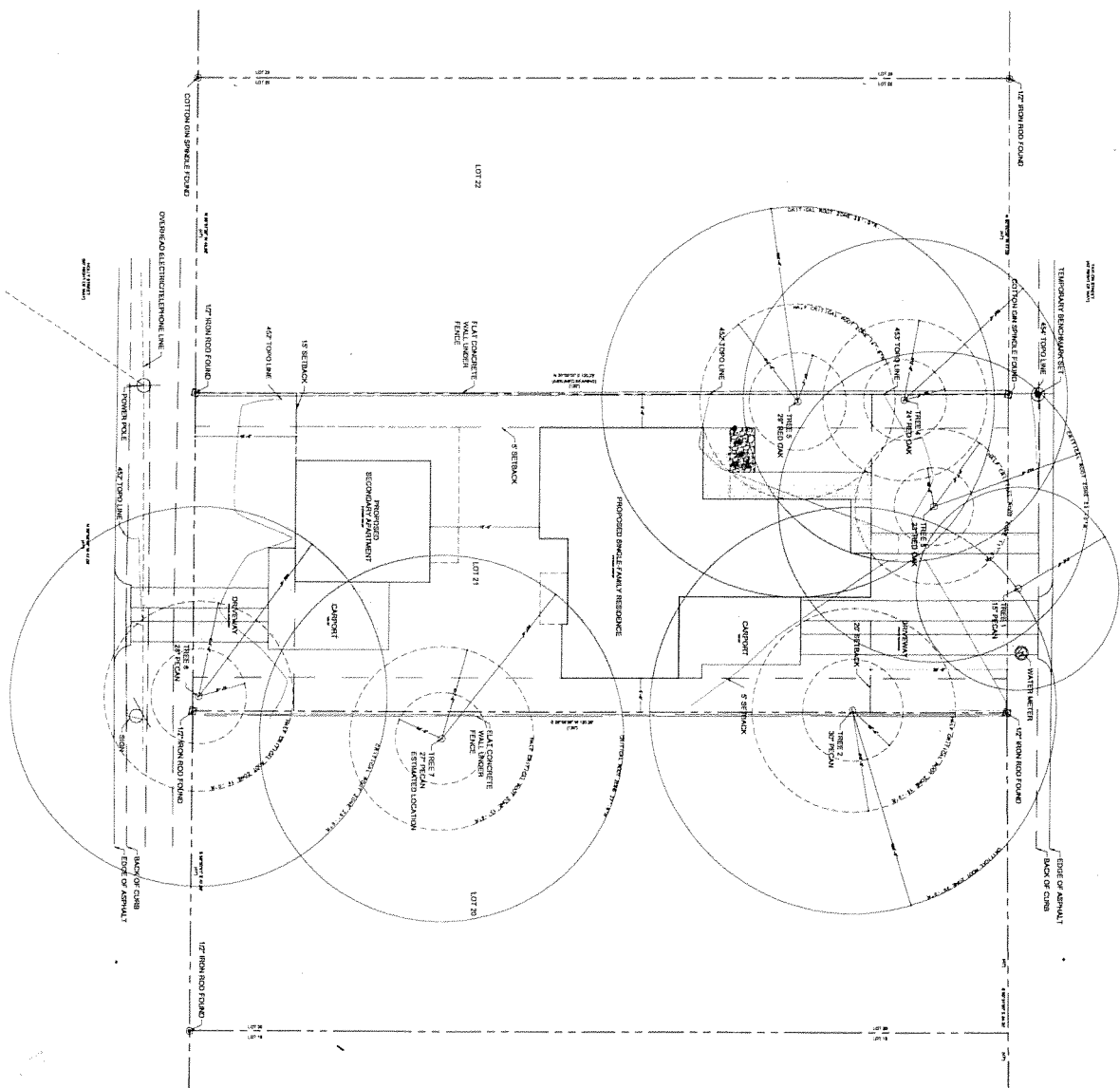
ALLOWABLE IMPERVIOUS COVER AREA  
2559.88 (0.45:1.00)

**PROPOSED IMPERVIOUS COVER AREA**  
2556.00 (0.45:1.00)

ALLOWABLE GROSS FLOOR AREA  
2275.45 (F.A.R. 0.40:1.00)

PROPOSED GROSS FLOOR AREA  
2950.00 (F.A.R. 0.52:1.00)

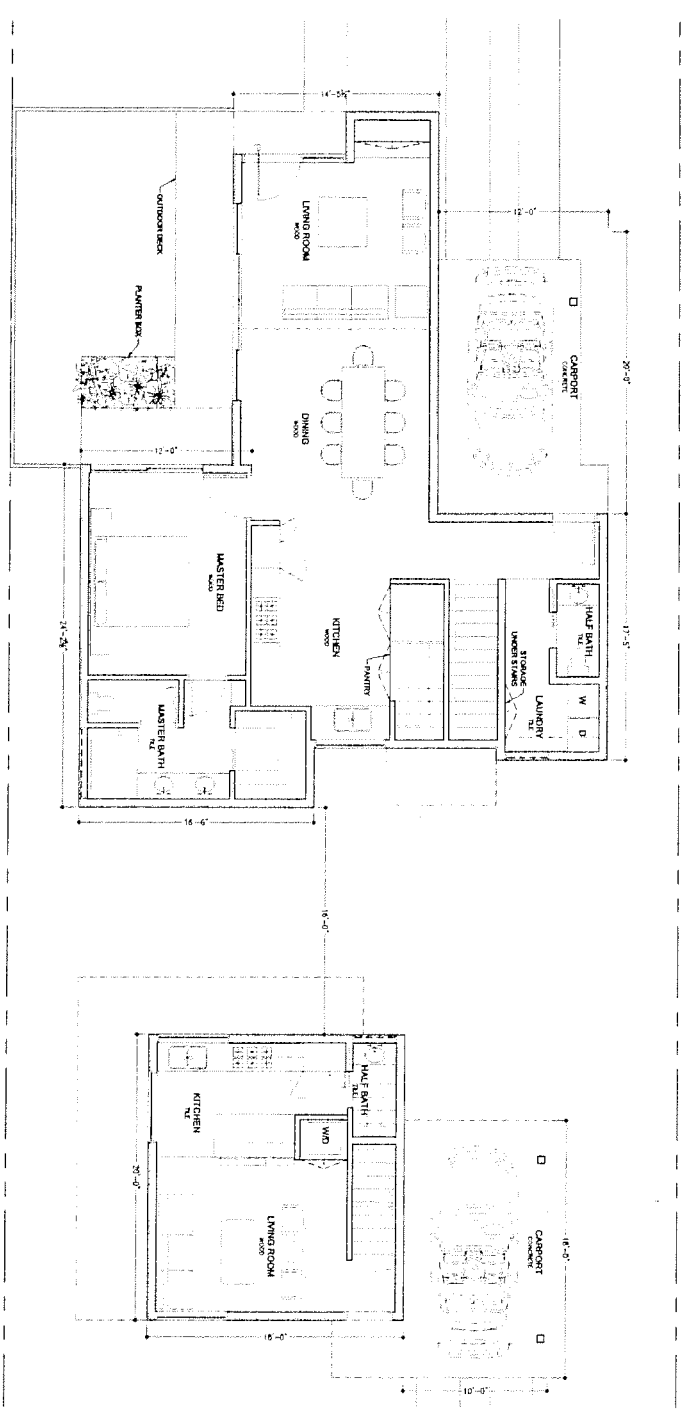
The proposed construction seeks a 12% increase to the allowable GFA in order to accommodate the neighborhood plan's request for secondary apartments.



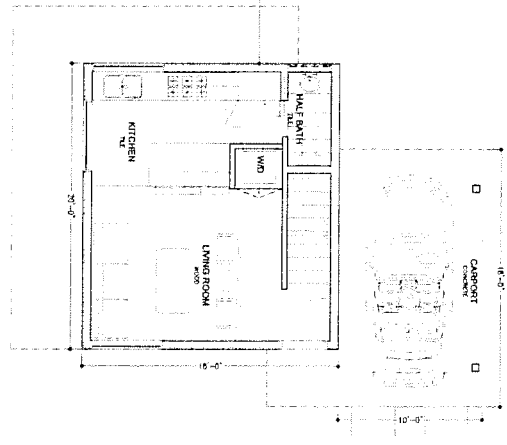


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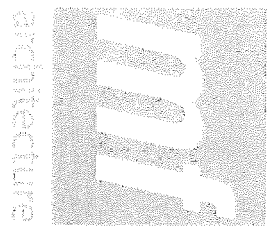
FIRST FLOOR  
Primary Structure



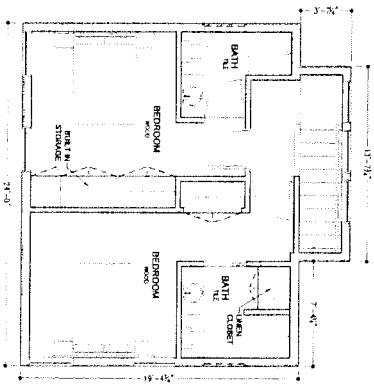
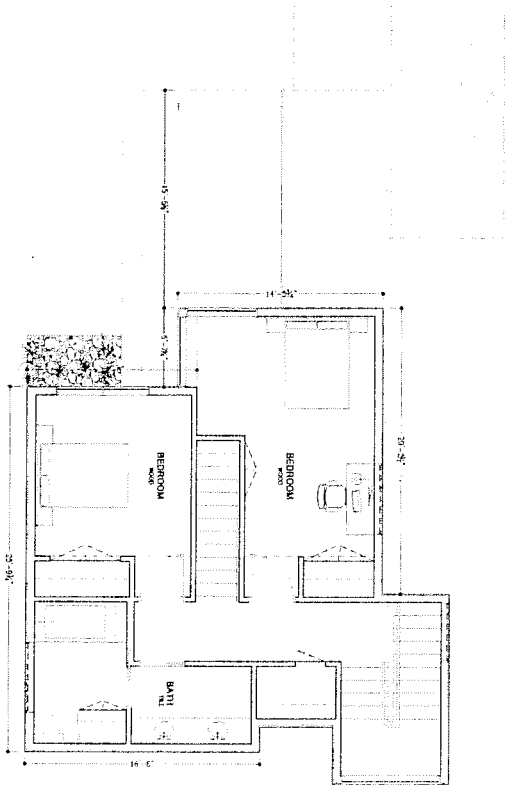
FIRST FLOOR  
Secondary Apartment



FIRST FLOOR PLAN  
Proposed Construction  
Scale: 1/8" = 1'-0"

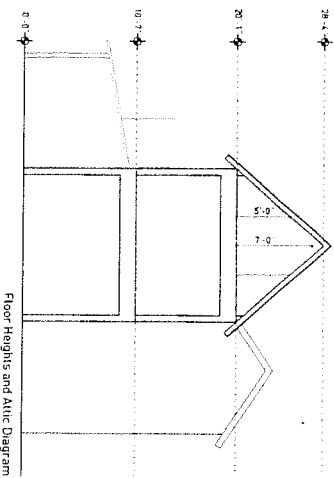


2/12/18



SECOND FLOOR  
Primary Structure

SECOND FLOOR  
Secondary Apartment



Floor Heights and Attic Diagram

SECOND FLOOR PLAN  
Proposed Construction

Scale: 1/8" = 1'-0"

